

## NOMINATIONS SENT TO SENATE

Prompt Confirmation in Executive Session.

## ONE CHANGE IN CABINET SENATOR COCKRELL IS NOW A COMMISSIONER.

Washington, March 6.—The president sent a large number of nominations to the senate today, including all the members of the present cabinet except Postmaster General Wainwright, Mr. Geo. B. Cortelyou was nominated for that office.

The nominations include the names heretofore announced as ambassadors and Senator Cockrell as interstate commerce commissioner. The nominations follow:

### Members of the Cabinet.

John Hay, District of Columbia, secretary of state; Leslie M. Shaw, Iowa, secretary of the treasury; William H. Taft, Ohio, secretary of war; William H. Moody, Massachusetts, attorney general; George Bruce Cortelyou, New York, postmaster general; Paul Morton, Illinois, secretary of the navy; Elihu A. Hitchcock, Missouri, secretary of the interior; Victor H. Metcalfe, California, secretary of commerce and labor.

### Ambassadors.

Ambassadors Extraordinary and Plenipotentiary—William H. Taft, New York, to Great Britain; Robert S. McCormick, Illinois, to France; George V. L. Meyer, Massachusetts, to Russia; Edwin H. Conger, Iowa, to Mexico; Henry White, Rhode Island, to Italy.

### Ministers.

Envoys Extraordinary and Minister Plenipotentiary—William Woodville Rockhill, District of Columbia, to China; David J. Hill, New York, to the Netherlands; Henry Lane Wilson, Washington, to Belgium; William Miller Collier, New York, to Spain; Brutus J. Clay, Kentucky, to Switzerland; Thomas J. O'Brien, New York, to Denmark; Charles H. Graves, Minnesota, to Sweden and Norway; Edward C. Brein, New York, to Paraguay and Uruguay; John B. Jackson, New Jersey, to Greece and Montenegro and diplomatic agent in Bulgaria; John W. Riddle, Minnesota, to Romania and Serbia; Samuel R. Gummere, New Jersey, to Morocco.

### Miscellaneous.

Solicitor of the Department of Commerce and Labor—Edward Waller Sims, Illinois.

Attorney for the Northern District of California—Robert T. Devlin, California.

District Judges—Joseph V. Quarles, eastern district of Wisconsin; James Wickensham, district of Alaska, division No. 3, district of Alaska.

### Consuls General.

Consuls General—Robert J. Wynne, Pennsylvania, at London, England; Frank H. MacFarland, New York, at Paris, France; Alex H. Thackara, Pennsylvania, at Berlin, Germany; Hoffman Phillips, New York, at Tangier, Morocco; Thomas Sammons, Washington, at Newchuan, China; Stanley Stoner, Missouri, at Calcutta, India; Henry B. Miller, Oregon, at Yokohama, Japan; J. Linn Rogers, Ohio, at Shanghai, China; George W. Roosevelt, Pennsylvania, at Brussels, Belgium.

### Confirmations.

The senate in executive session confirmed the nominations of all members of the cabinet, of former Senator Cockrell of Missouri to be interstate commerce commissioner, of former Senator Quaries of Wisconsin to be United States judge for the eastern district of Wisconsin.

## SECRETARY SHAW WILL STEP DOWN NEXT MARCH

Washington, March 6.—The resignation of Secretary Shaw as secretary of the treasury recalls the fact that when he was first nominated it was with the understanding that he would remain in the office for the next year, just past. During the last campaign the president asked Mr. Shaw to remain at the head of the treasury department, and he consented, with the condition that he should be permitted to retire in February, 1906, when he will have served a full four years' term. Secretary Shaw has no intention of remaining any longer than the date fixed upon.

## GENERAL MACARTHUR GOING TO THE FRONT

Tokio, March 6.—Major General MacArthur of the United States army, accompanied by his aide, Captain Parker W. West of the Eleventh cavalry, and by Captain John J. Pershing of the Fifth cavalry, will leave Tokyo for the front March 9 as military observers with the Japanese army, United States Minister Lloyd C. Garrison is making arrangements for their departure, which he is expediting in every possible way. The minister today presented the official letters of introduction, but owing to the short time remaining before their departure, an audience of the emperor will be omitted until they return to Tokyo.

## GREENE AND GAYNOR NOT ADMITTED TO BAIL

Montreal, March 6.—Messrs. Gaynor and Greene, who are wanted by the United States government on charges of fraud in connection with the Savannah river improvements, were before Magistrate La Fontaine, the extradition commissioner today.

Mr. Taschereau, counsel for the accused men, filed an objection to the jurisdiction of the magistrate. The latter thereupon agreed to a postponement of the case until March 14 to give an opportunity to get witnesses here. After hearing arguments on the question of bail, Commissioner La Fontaine announced in his opinion the dominion statutes did not grant him power to accept bail for the prisoners.

### POSTMASTER AT DESERET.

(Special to The Herald.)

Washington, March 6.—Joshua Bennett has been appointed postmaster at Deseret, Millard county, Utah, vice Virgil Kelly, resigned.

### COFFEE

does do work you don't suspect. Quit and try

## POSTUM

10 days and note how well you feel.

## FINDS FEW BILLS, MANY VOUCHERS

Legislative Committee Resumes Investigation of Fair Expenses.

## RECEIPTS ARE LACKING JUNKETERS WILL TELL TODAY ABOUT "RAKEOFF."

At today's session of the legislative investigation into the affairs of the Utah commission of the Louisiana Purchase exposition, Representatives Joseph Stookley and Gundar Peterson, the special committee appointed to visit St. Louis to investigate the workings of the commission in that city during the fair, will go on the stand and will relate in detail what they found in the Mound city. They went to ascertain if any rake-offs were received, and it is said the trip was fruitful.

The special committee returned at 8 o'clock yesterday morning and was present when the investigation was resumed. Judge C. W. Morse's court room. Only a few spectators were on hand during the session, yet it proved to be one of the most interesting meetings since the investigation began. L. W. Shurtliff of Ogden, one of the members of the Utah commission in fact, was charged with how \$7 was charged him for his room in the hotel at St. Louis for one day, while Senator Willis Johnson, another member, had been charged \$10 for a room for three days, this same member, by the way, bunking in with Mr. Shurtliff. The charge of \$7 was made by the way, by a matter of fact, it was shown that the members of the commission had to pay all sorts of prices for living expenses while at the fair, yet in the majority of cases they had not obtained receipts for the money expended.

Another event related by Mr. Shurtliff, the payment of \$3.50 for a sleeping car berth from Chicago to Salt Lake at a time when, by previous testimony, he said he was a guest at the Jefferson hotel in St. Louis. Under a little prompting, later, the witness said that he thought he had made a mistake as to the date when he was in Chicago and purchased the ticket.

### Smith Opens With Explanation.

Attorney H. A. Smith opened the morning session with a brief address to the committee in which he said: "While the figures on the abstract prepared by the expert bookkeepers are not in balance, the method adopted to arrive at that conclusion is very unsatisfactory. Two sets of books were kept. The first is in a badly mutilated condition, and the second contains entries not found in the first. The vouchers without bills, and bills without vouchers, in the abstract are not in balance. We will have to depend largely on the evidence obtainable from such witnesses as we may call. I will therefore call as the first witness in this session L. W. Shurtliff, a member of the Utah commission of the Louisiana Purchase exposition."

Mr. Shurtliff, though a venerable, walked with a brisk step to the stand and his attention was called to voucher No. 1.

"Did you receive and receipt for this?" he was asked.

"I don't know," he replied. "I cannot tell you."

"Please notice that the blank in the amount is not filled out. It totals \$83.55. Can you explain it, or why it was signed in that shape?"

"I have private notes of all the monies I expended, and I think this item can be explained by them."

Mr. Smith then called his attention to numerous vouchers for various sums, all of which were practically in the same condition as voucher No. 2. To some of them Mr. Shurtliff replied that he thought there were receipts among the commission's papers, but Mr. Smith said that if there ever had been they could not be found. Touching on voucher No. 189, the attorney again said:

"This purports to be for \$25 for personal expenses. Will you please explain this?"

"I received \$25 from Mr. Whitaker."

"I received \$25 from Mr. Whitaker and spent it for my expenses in St. Louis. I took a memo of the various items included in this amount, but I haven't got it now. Altogether, I got \$100 from Mr. Whitaker for my personal expenses, and that sum of \$25 is included in that."

"Referring to voucher No. 211, I notice an item of \$7 for one day for one room. What hotel were you charged at?"

"At the Jefferson."

"And they charged you \$7 for one room?"

"Well, Mr. Whitaker secured the room in advance and I supposed it was all right."

"I notice on the same voucher an item for \$10.50 for Mr. Johnson of the commission for three days at the same hotel. How do you account for the difference?"

"I don't know. You will have to ask Mr. Whitaker. I remember, though, that Mr. Johnson and I occupied a room together for one day. It was when the commission first got there. Mr. Whitaker can explain it."

To many of the succeeding questions the witness said he did not remember much about them, but that Mr. Whitaker could explain all of them. He was positive, though, that he had received only \$100 from Mr. Whitaker for personal expenses, that sum being in two amounts, but he could not explain why there were duplicate vouchers presented.

"Can you tell how much money you received in all?"

"I cannot, except by reference to such private papers as I may have."

You realize it is a large amount? Why didn't you keep a set of books? You knew you were handling large sums of the state's moneys?" he was asked.

"Well, I—well—I don't know except that I kept a record of many items, but not all of them."

"We will now take up voucher No. 115. It purports to be for \$25 for five days' board at the Hotel in St. Louis from Feb. 20 to 24 inclusive. Is that correct?"

"It is not in my handwriting, but I suppose it's all right."

"Well, then, among other items of expense I find you have made a charge on Feb. 22 of \$2.50 for a sleeper from Chicago to Ogden and Salt Lake. You have stated that you were in St. Louis from Feb. 20 to 24 inclusive, yet here is a charge of a sleeper having been purchased by you in Chicago on the 22d. How do you explain the discrepancy?"

The witness said nothing, and after waiting a moment, Mr. Smith passed along to voucher No. 294.

An Error of One Day's Charge.

"This voucher," he said, "calls for an expenditure of \$25 for six days' board at the rate of \$5 per day. Is there an error in that?"

"I presume there is."

Mr. Stookley interrupted at this point and said he wanted to know about the sleeper incident. The witness said in reply to the remark that he thought he had made an error in entering the date "Feb. 25." He believed that it was

on a subsequent date that he purchased the sleeper.

Senator Willis Johnson, treasurer of the commission since Hoyt Sherman resigned, was next called to the stand and voucher No. 1 was shown to him.

"Is that correct?" queried Mr. Smith.

"Yes, sir."

"Did you take a receipt for it?"

"No, sir."

"Why?"

"It was not the practice at that time."

"You were a member of the commission?"

"Yes, sir."

"And you were giving statements to the commission of moneys expended without receiving receipts?"

"Yes, sir; it was the custom at that time."

"I will show you the duplicate for that voucher. It is for the same amount, \$39.30, and it is signed April 23, 1905."

"I signed it, but I don't remember just where I did."

"Will you show voucher No. 12 for \$141.55, in which there is an item of \$39.50 for car fare to St. Louis and return. Is that right?"

"It appears from the same voucher that on April 23 you paid \$10.50 for stage fare to Marysville. After looking at voucher No. 1 and voucher No. 12, can you reconcile this matter of April 23?"

"There must be a mistake somewhere. I am not a walking encyclopedia, and I cannot recall everything that happened two years ago."

"You are a business man, are you not, Mr. Johnson?"

"I am."

"How long have you been in business?"

"About six or seven years."

"Well, do you think it is good business to let the state's money be involved in this way?"

The witness was much embarrassed, but he could not deny that he did not think much about the matter at that time, but now he would admit it was not a business transaction.

How His Laundry Was Paid.

A number of vouchers were then handed the witness and he was asked to explain if any receipts had ever been received for the money expended as stated by the vouchers.

Questions he said he didn't know or he didn't remember. Finally Mr. Smith picked up voucher No. 211, and after reading therefrom one item of 60 cents for laundry, said:

"Is that yours?"

"No, it is not there," replied the witness.

"I'll show you that it is there," said Mr. Johnson, and he did, whereupon Mr. Johnson added that it had no right to be among the items attached to the voucher.

"Now, sir," said Mr. Smith, "it appears from all these vouchers that you have paid out \$58.80 without taking a receipt for any of them. Have you any explanation to make as to why you did so?"

"No, sir; I have none."

Representative Joseph then took the witness in hand, and asked him to state whether or not a story published in a local paper Feb. 4 was true.

Mr. Johnson demurred, saying: "I want to state that I will make any reply asked me by the committee, but I will not testify as to newspaper articles."

Mr. Joseph was insistent, and after a brief interchange of words, Mr. Johnson said:

"I will say that that part where it says the money was on hand when the legislature convened was not according to the words I used as I recollect the matter now."

Mr. Shurtliff wanted to know why he refused the money at first, and why, after having received it he carried it in his pocket for a week. To that query the witness replied:

"I have already stated that I declined to receive the money when it was first received, but because I was requested to surrender the vouchers in my possession. Subsequently, when the lawyer Mr. Cannon's duties in the legislature were such that I had no opportunity to deposit it in a bank until the end of the week."

Discrepancy in Books and Report.

Mr. Joseph read from the minute book under date of Jan. 17, 1905, from the report of Hoyt Sherman to the effect that there were no moneys on hand at that time. The witness said that to the best of his recollection that that was the fact.

"When you become a member of the commission?"

"About two years ago."

"You have said that you always rode on a free pass. How do you explain that on several occasions you rode from Salt Lake City to Marysville and return, and on each occasion you charged \$10.30?"

"I can only explain that I have always incurred greater expenses than I have charged."

"Name them and you will be paid."

The witness could not recall for the moment any instance where he contracted bills such as he stated, but later he recalled a few instances wherein he had paid for private trips to get from Circleville to Marysville, and he charged only the regular stage fare. He said in explanation of the fare from Marysville to Salt Lake, that he had charged for it, notwithstanding that he had a pass, because, as a member of the legislature, he was entitled to mileage.

One Overdraft Found.

E. W. Wilson, cashier of the Commercial National bank, was called and he produced the balance sheets of the commission's accounts while money was on deposit in the bank from Oct. 10, 1902, to June 4, 1904. In answer to Mr. Smith he said that there was an overdraft of \$2,808.91, May 2, 1904. After stating that he would send a statement of the commission's transactions with the old Bank of Commerce, Mr. Wilson was excused.

Professor Horace Cummings, who had charge of the educational exhibit at St. Louis for the state of Utah, was pointed out one year ago and that his report would show how every dollar was expended that passed through his hands, but he could not recall all the various transactions off-hand. In reply to this, Mr. Smith said:

"Professor, the books are not clear as to the expenditures of the commission, and we want to get at the bottom of things by going over the papers piecemeal, and in order to get our attention to check No. 4, for \$32.75, payable to bearer. Please explain that transaction."

"Check No. 4 came about through the sale of a number of cabinets to the Argentine republic's commission. When first asked to St. Louis I found that the manufacturers were at least two months behind in the delivery of the cabinets contracted for for the state of Utah, and in order to get our exhibit in proper shape at once it became necessary to purchase twelve cabinets from the Missouri commission. I paid for them with my own money. Later, when our own arrived, I sent them to the Argentine Republic representatives and they gave me a check, but subsequently they had to return four of them, I believe, and I gave check No. 4 to settle the transaction."

The witness was asked to explain if he thought it good business policy to keep the state's moneys with his own private account and he replied:

"I saw no harm in it then and I see none now, for I kept a strict account of all state moneys and he replied:

Asked to explain why check No. 24, for \$295.98, payable to the order of the New Jersey School & Church Furniture company, differed from the

bill rendered by the company for \$399.98, the witness said that the \$4 knocked off was for freight rebate.

Mr. Smith then produced the voucher for this amount. It called for \$18.08, but the witness could not explain the difference, saying that he would have to look it up. He was then requested to explain numerous checks, many of which he said were drawn on his personal account, none of which, though, he added, had figures in the record of expenses submitted to the commission.

Check No. 58 he said was for \$211.50 for the board of dead mules. That voucher, Mr. Smith said, had never been approved by the governor or anybody else, except Mr. Nelson. The witness explained that the sum mentioned was only part of the \$500 allowed for the payment of the board of the dead mule class.

The question of his personal maintenance while in St. Louis was then taken up, and he replied that when the mule was transported, he made an estimate that he could obtain board and room for \$35 a month, but the members of the commission told him it would be impossible during the existence of the fair. They then raised his estimate to \$50, and when he reached St. Louis he found that even that figure was too low. Mr. Smith directed his attention to the minutes of the commission in which the allowance was fixed at \$50 a month, and then to several of the vouchers in which the charges varied from \$10 to \$20.

In reply Professor Cummings said that whatever he did was done with the approval of the commission.

Session in the Evening.

At the evening session, which began at 7:50 o'clock, Professor Cummings closed his testimony, saying that he could prove by the members of the board of education that a salary of \$150 a month was to have been paid him for his services as superintendent of the fair. In the minutes of the commission, to the effect that his expenses were to be paid, he said he had already received \$50 a month, was he declared, and thereupon the minutes, it appeared, are not signed.

Referring to the matter of the second payment of his salary for a particular month, the witness said that the request had been made for him to sign the voucher by Secretary Cannon and Superintendent A. C. Nelson approved the second voucher. The witness said he had not worked for the month in question, but he had already received his salary for the month in question. He finally did sign it but made a notation on the ticket that he had received his salary and that the \$150 mentioned was to cover expenses defrayed by another voucher. Professor Cummings closed his testimony by presenting by stating that he sold all the furniture, etc., after the fair closed, and one of the moneys was turned into the treasury of the commission.

Before Professor Cummings could leave the stand, however, Mr. Stookley interrupted him and asked him why he had not taken the moneys won by the Utah educational department. The witness said that he had not taken the moneys, but he had not reached Utah yet.

Love's Tells of Honey Deal.

E. L. Lovey next testified, and said that as regards voucher No. 79 he had signed it without knowing the law.

"I told Mr. Whitaker that there was only due me \$105 but he insisted, that I should take the whole amount, and I did so, but I did not know of the difference pay for necessary supplies needed to make the wax statue. I agreed to this but the next day he called at my house and said that he had made a mistake and wanted me to return the \$144.18. I thought it strange at the time but I went with him and he gave me the money and gave him the amount in cash."

Mr. Whitaker was called and when asked if he had any reply to make to Mr. Lovey's statement said:

"He has made a mistake. I do not recall receiving \$144.18 from him. I did receive \$60 or \$70 and I used the money to pay expenses in connection with my department. I have searched everywhere for receipts, but have failed to find any except a few and they don't aggregate the amount mentioned."

Mr. Smith next took the witness back over the testimony he gave two weeks ago, and Mr. Whitaker, after stating that he had not taken any books, and in a large number of instances had received no receipts for money expended, said that he had not taken any receipts for his monthly report for safeguarding his own interests, said he now regretted that he had not kept a set of books from the start.

The committee will resume the hearing at 10 o'clock this morning.

PAPER TRUST ENTERS  
A GENERAL DENIAL

St. Paul, March 6.—The International Paper company and the other defendants in the lawsuit brought by Attorney General Moody in the United States court here against the so-called paper trust, today brought a general denial to the bill, in which they enter a general denial that they have conspired to control the paper trade of the United States and to establish a monopoly.

The answer sets out that the International Paper company was formed merely as a sales agency for the paper manufacturing companies, and that the company was formed for the purpose of restraining interstate trade.

They are still in the painting business, with always the best paint and painters. Our prices are the most artistic and the prices right. W. A. Duvall, 110 West Second South.

REAL ESTATE TRANSFERS.

William J. Smith to Elizabeth Smith, lots 1, etc., block 5, Davis, Sharp & Stringer's addition. \$1

The Salt Lake City Trust company to James Thompson, part of lot 1, block 1, Windsor. \$700

William H. Fyfe to John F. Peterson, lot 10, block 1, Windsor. \$500

Swan T. Whitcomb to F. J. Spaulding, lots 23 and 24, block 2, Ashbury. \$10

John W. Fyfe to O. F. Peterson, part of lot 4, block 1, Windsor. \$500

MARRIAGE LICENSES.

E. William Reese, Salt Lake.

Ruth A. Dahlquist, Salt Lake.

James J. H. Reese, Salt Lake.

Leslie Neuhart, Salt Lake.

Alonso G. Bast, Salt Lake.

Marie Frances Rabe, Salt Lake.

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